

September 9, 2010

Sara Schlee

RE: Sara Schlee v. Washington State University (WSU)  
Director's Review Request RULE-10-006

Dear Ms. Schlee:

On July 14, 2010, the Department of Personnel received your request for a Director's review regarding the effective date of your position's reclassification. On July 20, 2010, Karen Wilcox, Director's Review Coordinator, sent a letter to you and Theresa Elliot-Cheslek, Director of Human Resource Services (HRS) at WSU. In her letter, Ms. Wilcox asked both parties to respond to the timeliness of your request.

By email dated July 30, 2010, Human Resource Consultant Zami Wilson provided a copy of the June 2, 2010 email notification of your position's reclassification with the attached Results of Management Requested Classification Review, dated June 1, 2010. You did not provide a response regarding the timeliness of your request.

WAC 357-49-010(4) provides, in part, the following:

. . . an employee who has been adversely affected by a violation of the civil service laws or rules may request a director's review **within thirty calendar days of the date the employee could reasonably be expected to have knowledge of the action giving rise to a law or rule violation claim or the stated effective date, whichever is later.** . . .

Based on the information provided by Ms. Wilson, you had knowledge of the May 17, 2010 effective date when you received a copy of the June 1, 2010 Results of Management Requested Classification Review from Carla Jasper in WSU's HRS on June 2, 2010. As a result, your deadline for requesting review elapsed on July 2, 2010. Since we did not receive your request for a Director's review until July 14, 2010, your request was untimely. Therefore, the matter is closed.

Either party may appeal the Director's determination on timeliness to the Personnel Resources Board by filing written exceptions to the Director's determination in accordance with Chapter 357-52 WAC.

WAC 357-52-015 states that an appeal must be received in writing at the office of the board within thirty (30) calendar days after service of the Director's determination. The address for the Personnel Resources Board is 600 South Franklin, P.O. Box 40911, Olympia, Washington, 98504-0911.

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If no further action is taken, the Director's determination becomes final.

Sincerely,

Teresa Parsons, SPHR  
Director's Review Program Supervisor  
Legal Affairs Division

c: Theresa Elliot-Cheslek, WSU  
Connie Goff, DOP